PAY TRIBUTE TO

Members of Local Organization Judge Ritchie Holds Status of Hold Annual Lodge of

Memorial Rell Called Amid Impressive Ceremonles-Address by B. H. Roberts

Elks who, during the year 1910, paused for the last time before the hour of 11

with bowed heads, were honored last night by the local lodge, No. 85, when the annual memorial service of Elkdom was held in the Sait Lake theater. Elaborate preparations had been made by the committee in charge that the impressiveness of this memorial to the

brothers who have gone on might be commensurate with the earnestness and commensurate with the sincerity of the greeting of Elk to Elk when death is the least thought of.
Orchestral rendition of the "Predude du Deluge" ushered in the program and during this inusical number, the curtain rose on a stage setting as ap-propriate as beautiful. The four sta-tions of the Elks ritual were arranged

tions of the Elks ritual were arranged in the center of the stage. In the center, sat Exalted Ruler W. G. Romney presiding, and grouped around him at their respective stations were Esteemed Leading Knight Dr. S. Ewing, Esteemed Loyal Knight V. A. Extilyon and Esteemed Lecturing Knight D. W. Gibbs, In addition to these were Secretary A. W. Raybould, Treasurer W. H. Nightingale Lipper Guard W. L. Culmer and

M. Raybound, Freasurer W. H. Rightlingale, Inner Guard W. L. Culmer and Chaplain M. M. Warner.

At the foot of the exalted ruler's station was a white tablet, draped with the American flag and on this tablet, as the American fing and on this tablet, as Secretary Raybould called the memorial roll, the names of those brothers were finshed. Behind the group of officers were arranged white memorial pillars and upon those were hung tablets with the names of the departed members. At the back stage center stood an immense Elk, with spreading antiers, and above an illuminated clock indication of the heavy of 11, the hour seared to all ed the hour of 11, the hour sagred to all Elkdom. The clock was draped in purple and white, the Elk colors. Flow-ers, ferns and palms were added to the stage elaborations in pleasing effect. MEMORIAL ROLL.

Exalted Ruler W. G. Romney delivered the ritualistic address and explained the purpose of the ceremonies. He told of the night being one on which all Elks, scattered however throughout the world, paid tribute to their dead. With the reading of the list of those who had gone on during the year 1910, at the tap of the gavel following each name, every Elk in the theater arose. This is the memorial roll: Tom D. Pitt, W. W. Hall, Edward Hoffman, Charles M. Freed, W. P. Cooper, Jacob Moritz, James McTiernay, Alma C. Riser, W. B. Ferrin, Thomas Coulthurst and David S. Murrary.

After the opening ode, Chaplain M. M Warner delivered the invocation. "Berceuse," by Godard, was rendered by the orchestra, and a quartet, consisting of Corinne Harris Hamer, Edna Dwyer, Fred C. Graham and J. Willard Squires, sang "The Lord is my Shepherd."

M. M. Kaighn was to have delivered an eulogy to departed Elks. In Mr. Kalghn's lliness, James Devine was chosen for this feature of the program and in eloquent words called attention and in eloquent words came attention to those who have gained broader conceptions of man's responsibility toward his brother man by crossing the Elk threshold. He illustrated the principles of the order, charity, brotherly love, justice and fidelity.

ADDRESS BY B. H. ROBERTS.

Following the solos, "The Old Sexvine," by Mrs. Hammer, B. H. Roberts delivered the annual memorial address. Mr. Roberts said in part:

"Surely you are to be congratulated upon the selection of words you have made which represent the things for which your order stands. 'Benevolence and Protection.' found in the title of your order, must naturally appeal to those who admire and seek fraternal relations with their fellows.

"Equally admirable is the symbol o "Equally admirable is the symbol of your society as you interpret its equalities. Quick to hear the cry of distress, fleet of foot to relieve the unfortunate, timorous of doing wrong. These three words most frequently used in your burial service and these annual memorial services, 'charity, justice and brotherly love,' must commend themselves to all." Referring to the departed, he said: the departed, he said:

"You propose to write their faults upon the sand, and their virtues upon tablets of love and memory. This reverses somewhat the great English poet's conception of men's deeds, for he said;

"The evil that men do lives after The good is oft interred with their bones.

"If I understand aright the spirit of your organization, it had its origin rather for the enjoyment of life than for the contemplation of death. And rather for the enjoyment of life than for the contemplation of death. And yet, death intrudes, an unbidden and unwelcome messenger, to give doleful summons to well-loved brothers."

After speaking of the object of life upon earth and of the mission of the soul of man, Mr. Roberts continued:

"I hold that we have a right to be optimistic in our views of man's earth-life, difficulties nothwithstanding. I believe it would not be over difficult to persuade men not Christians that there is something in the union formed between man's spirit and physical body that is worth preserving."

"The poor, whom we are said to have always with us," said the speaker, "we may think they have need of us, and they do; but we and the world need them more than they need us; for it is through these that the highest virtues and the noblest sentiments are

virtues and the noblest sentiments are kept active. He who gives to the poor is but lending unto the Lord. The brotherhood of man is the central ob-

ject and keynote of your organization, members of the Benevolent and Protective Order of Elks."

In conclusion Miss Dwyer sang "Give Alms of Thy Goods," and the quartet gave "Gently, O Lord, O Gently Lead-Us." Officers of the lodge performed the closing erromonies and performed the closing ceremonies and the entire congregation joined in the sluging of the doxology.

MOTION TO QUASH IS OVERRULED

Walker Contempt Case Is Merely One of Inquiry.

PURPLE AND WHITE DRAPING TO APPEAR AND SHOW CAUSE

Proceedings Against Mrs. Althea Walker, Margaret Walker Smoot and Clarence Walker to Continue.

Mrs. Althea Walker's motion in the Third district court for the quashing of an order issuing from the court citing her, with Margaret Walker Smoot and Clarence Walker, to appear and show cause why they should not be punished for contempt for leaving the state while an order from the court was in effect commanding them to ap-

was in effect commanding them to appear and testify relative to the disposition of certain articles of the estate of David F. Walker, Sr., was overruled in the equity division of the court by Judge Ritchie this morning. They must now appear as commanded in the latter order, and defend themselves in contempt proceedings.

The motion for the quashing of the order was argued before Judge Ritchie on Friday of last week. The grounds upon which the defense based its argument was that a case was pending in the federal court at the same time dealing with the same subject matter, and that an order in that court for them to appear and show cause why them to appear and show cause why they should not be punished for con-tempt is also in effect from the federal

ourt.
Holding the status of the case in the district court at present to be merely one of inquiry as to the possession of certain assets of the estate, Judge Ritchie says: "There is no reason why the inquiry sought in this proceeding should not proceed, so far as anything appears with relation to the matters appears with relation to the matters in litigation in the federal court. This, as yet, is only an inquiry as to whether assets exist and whether certain persons have them. If, as the result of that inquiry, it appears that any of the preparation is the sustedia.

that inquiry, it appears that any of the property in question is in custodia legis in the Federal court, either actually or constructively, full faith and credit will be given to the judgment, decrees, or proceedings in that court showing that fact.

The point was raised by the defense that the order appointing David F. Waiker, Jr., as special administrator, was illegal. This appointment has been attacked from another side by the devence in the district court and the revence in the district court and the revocation of the appointment was prayed for and the appointment of another ad-ministrator asked. Relative to this point, the court says: "The facts stated, which are alleged to show that the apointment of the special adminis-trator is null and void, show in any event, nothing more than an irregular-ity and cannot be considered in a col-lateral attack on the appointment."

PROCEEDINGS TO CONTINUE.

"However," continues the opinion, "sufficient facts appeared in the verified petition for the appointment of a special administrator and in the proceedings leading up to the appointment, to war-rant the court, under section 3,813 of the compiled laws, in appointing a compe-tent person as special administrator. The court acted accordingly and the judgment then formed has since been

judgment then former has since been amply justified by the conduct of the parties cited.

"The court must hold that the showing made in answer to the order to show cause is insufficient and it is so snow cause is insumerent and it is so adjudged and that the proceedings continue against Althea Walker, Margaret Walker Smoot, and Clarence Walker in according with the views here expressed and under the provisions of the law here applicable."

WANTS \$10,000 DAMAGES.

Elmer Baca Institutes Sult Against Oregon Short Line.

Complaining that the Oregon Short Line was criminally negligent and that such negligence led to injuries the plaintiff received in the employ of the road, Elmer Baca has instituted suit in the Third district court against the railway company for \$10,000. Baca alleges he was working for the company in the capacity of a common laborer, near Dubols, Ida., on Sept. 15, 1910, and on that day, was detailed to go to Dubois on a hand car with a gang of laborers: that a certain switch on the company's road had been negligently left, unlocked and that the hand car was thus thrown from the track, when striking the switch. He alleges he was thrown from the hand car; that the car alighted upon his body, breaking several of his ribs, bruising his shoulder and otherwise injuring him in such manner that he was unable to work for six weeks. He asks for \$10,000 for damages he received. Line was criminally negligent and that such negligence led to injuries the

INSANITY CHARGED.

Information charging Lewis B. Dickinson with being insane was filed in the office of the county clerk Satur-day afternoon, Mr. Dickinson has been a sufferer from paresis for more than a year and his condition has become such that it is thought necessary to place him in custody.

MOLITZ IS ARRAIGNED.

Judge Whitaker set Dec. 16 as the date of the preliminary hearing of Paul Molitz who entered a plea of not guilty Saturday morning to the charge of shooting Nick Lamont in a west Second South street saloon on Nov. 20. His ball was fixed at \$900.

CHOLES FAILS TO APPEAR.

E. R. Choles at whose instance Grace Newman, Mollie Beard and a male ompanion were arrested Saturday at the Elko hotel, failed to appear in police court against the trio and the women and their male companion were given a chance to leave town. Choles claims that he was robbed of

CLAIMS HEAVY DAMAGES. Suit has been filed in the Third district court by Dimitar Coleff against the Western Pacific Railway company and the Utah Construction company for \$10,000. Coleff alleges that while in the employ of the defendant corporation, the Utah Construction company, for the Western Pacific Railway company, the defendant company to defendant company. pany, the defendant company hauled a car of rock past the spot where he

GIII DEALERS \$3^{©©} *UPWARD* WEINGARJEN BROS. *Makers*, Broadway&34 St.NY

was working, one of the large rocks rolling from the unprotected side of the car, injuring his left leg, ankle and foot in such manner that it will be permanently stiff and that one too of his left foot had to be amputated because of the accident. He alleges criminal negligence on the part of the employing company.

JOHNSON BOUND OVER,

The preliminary hearing of Theodore Johnson, charged with burglary of the third degree, was held before Judge Whitaker this morning. Johnson was arrested in the Vienna rooming house, where it is alleged he attempted to plunder the room of one of the guests. He was bound over to the district court and his bail was fixed at \$200.

ATKINS WAIVES HEARING. Charles Atkins, charged with the thefts of two watches, valued at \$65, was arraigned before Judge James J. Whitaker this morning. He waived the preliminary hearing and will have o appear before the district court on charge of grand larceny.

NORSTROM ARRAIGNED.

O. Norstrom, who drew a gun on W Mont Ferry when Mr. Ferry was ejecting him from his premises on east South Temple street, pleaded not guilty before Judge J. J. Whitaker this morning. Norstrom was released on his own recognizance and his trial was set for Dec.

HOLMES PLEADS NOT GUILTY. Charles Holmes, who entered a gro Charles Holmes, who entered a gro-cery, store on west Second, South through a skylight and dropped on some pipes with such force as to break them and flood the store, appeared be-fore Judge J. J. Whitaker this morn-ing. He entered a plea of not guilty to the charge of burglary in the second degree. His hearing was set for Dec.

DISTRICT COURT NOTES.

D. J. Wilson has filed suit in the Third district court against Joseph Nelson to recover commissions alleged to be due him for bringing about the sale of certain mining properties for the defendant. The amount asked in commissions is \$5,000,

Suit has been filed in the Third district court by W. W. Wilson against Jacob T. Sherck, to quiet title to certain real estate owned by the plaintiff and against which the defendant claims to hold a lien.

MRS. MOORE KNOWN HERE.

'Woman in the Case" in Criminal Trial in Vincennes.

The trial at Vincennes, Ind., of Menlo E. Moore, a theatrical man, for the alleged murder of Charles Edward Gibson is attracting local interest. In many respects, it parallels the Thaw case and respects, it parallels the Thaw case and
the woman concerned is Mrs. Moore
who before marriage was Miss Arna
V. Padgett, daughter of Mr. and Mrs.
Arnold J. Padgett who lived here several years ago before taking up their
present residence at Washington, Ind.
The Padgetts lived here about five years beginning in 1895, and the elder Padgett was a well known criminal law-yer. The family was well known so-cially and Mrs. Moore who is now so vitally concerned in the trial, was extremely popular and her attractiveness made her a social favorite.

CONDUCTOR RUNS AMUCK.

Hurls Brick Through Hotel Window And Draws Revolver,

A. F. Ried, aged 35, a railroad conductor of this city, ran amuck Sunday afternoon. Upon being refused a room in the Hercules hotel by Mrs. Perkins, the landlady, he hurled a brick through the plate glass window. Latter he returned to the hotel, knocking Mrs. Perkins down and threatened the guests with a revolver who came to her assistance. He was picked up by Policeman Fitzgerald on the corner of West Temple and Second South streets. Soon after he was placed in Jail, he was found beating Pat Olson an old man. Ried will face the charges of assault with a deadly weapon and assault.

BURGLARS STEAL DAINTIES.

Burglars entered the store of the south State street, early yesterday morning and stole \$2.50 from the cash register, a quantity of cigarettes and several packages of vanilla wafers. Entrance was gained by breaking down the rear door to the store.

A private safe may be rented in the fire and burglar-proof vaults of the Sait Lake Security & Trust Co., 32-34 Main strest, \$2.00 per year.

BURGLARS LOOT CASH TILL.

Burglars entered the office of Noall Brothers & Armstrong company, lumber dealers, 157 west North Temple, either Saturday night or early Sunday morning and stole \$35 from the cash morning and stole 435 from the cash register by prying it open with a chisel. The burglars gained entrance to the place by knocking out a pane of glass, and unlocking the door from the inside. The watchman was in the place at 1 a.m. Sunday morning eating his lunch, and said that everything seemed to be

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DELINQUENT CORPORATIONS.

Secretary of State Warns Them of Fine Law Prescribes.

Unless 1,400 of Utah's 3,200 corporations pay their annual license on or before Dec. 15 to the office of the secretary of Dec. 15 to the office of the secretary of state, a fine of \$10 will be added to the amount due on that day. Secretary of State Tingey declares many may have the idea that checks mailed to him on the last day will render them immune from the penalty, but the law prescribes that the money must be in his office hefore closing hours on Dec. 15. Otherwise there is no alternative but for him to collect the \$10 extra.

"BOY DETECTIVE" AGAIN.

"Rube" Smith, "the boy detective," who made several arrests in the past month, took John Murphy, a negro coatchecker at the Louvre, into custody Saturday night. Smith alleges that a marked quarter was taken from his overcoat pocket. On failure to find the coin on Murphy, he was released by the rollege.

SIX BEST SELLERS.

During the month of November, According to reports from the lead-ing book sellers of the country, the six books (fiction), which have sold best in the order of demand during

. The Rosary, Barclay, \$1.35
The Window at the White of
. The Window at the White Cat,
Rinehart \$1.50
. Allsa Palge, Chambers,\$1.50
. The Rose in the Ring, Mc-
Cutcheon\$1.50
. Max, Thurston
. The Wild Olive, Anon\$1.50
ESERET NEWS BOOK STORE.

The Leading Book Concern.

SECURED BY ENSIGN

Secretary of State Fair Association Returns From Profitable Convention.

Horace S. Ensign, secretary of the Utah State Fair association, has returned from Chicago, where he attended the American association of Fairs and Expositions, as a delegate. During the convention Mr. Ensign held several meetings with the secretaries of associations of Nebraska, Kansas and Colorado in relation to establishing a circuit for livestock exhibitions and amusement attractions. Arrangements vere made and hereafter the state fair will have a number of features in this line which will greatly add to the attractiveness of the exposition. One of the biggest carnival companies will be on this circuit and

companies will be on this circuit and exhibit every fall at the fair.

"The convention was the largest attended and most important" Mr, Ensign said, "since the association was organized 20 years ago. The Insular exposition of Porto Rico was admitted to membership. The three sessions were held in the Auditorium hotel in the banquet half.

"While I was in Chicago I attended the Latter-day Saints services a

"While I was in Chicago I attended the Latter-day Saints services a week ago Sunday evening. Gov. Spry, who was on his way to Louisville, Ky., to attend the convention of governors, stopped off at Chicago and attended the services at the chapel. J. G. Mc-Donald, who was on his way to New York on business was also present. The Church has a very large congregation in Chicago, and is growing rapidly. Mr. McDonald was the first speaker. I was called upon to make a few re-I was called upon to make a few re-marks and then requested to sing, I sing "The Lord's Prayer," and then Gov. Spry delivered an excellent sermon on the Mormon religion, I also sang "Mid Scenes of Confusion."

TWO HURRY-UP CALLS.

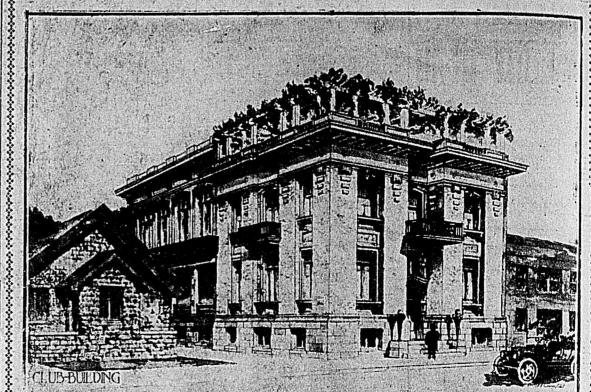
celved at the police station early Sunday morning, the first from the Emery apartments and the second from 309 east First South. There was no evi-dence of burglars in either case.

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IDAHOAN IS VISITOR.

A. M. Bowen of the law firm of

Stockslager & Bowen with offices at Hailey and Twin Falls, Idaho, who ran for congress on the Idaho state Democratic ticket, is in the city on a short business trip. "The Democrats of Idaho," he said, "have at last succeeded in getting a foothold and the state which has always been Republican shows a strong sentiment in favor of the Democrats. While we failed on the state ticket with the exception of the state tieset with the exception of the governor, yet the legislature will what permitted his escape from the show 23 Democrats against nine two basement. He found that \$15 in change



PROPOSED NEW BUILDING FOR WEBER CLUB.

excavation and foundation of the new Weber club building to be erected on

city. Architect W. S. Hodgson will personally supervise the work, his plans having been accepted by the nue, has been awarded to the J. P. | board of directors. The building will

Ogden, Dec. 5 .- A contract for the | O'Nelli Construction company of this | be one of the most pretentious and con venient club houses in the west, a special, and what promises to be a popular, feature, being a large roof garden. The building will be opened early in the spring.

years ago. This gives the Republicans a majority of only 15 on joint ballot." Mr. Bowen said that the advance in Mr. Howen said that the advance in the price of lead would be a big thing for the Wood river mining district which is near Hailey, his home, and that regular shipments were being made from the large producers and considerable prospecting in other properties had been executed. Agriculturally the Wood River valley has grown rap-idly the last two years and the whole country, he said, is prosperous. Mr Bowen will return to Halley this evening.

CAT YOWLS AN ALARM.

"Mike," the cat quartered in the Oquirrh pharmacy on Fourth South and Fourth East streets, revealed a robbery by his incessant "yowling." "Mike" is locked in the basement at night and the burglars let him escape from his confinement. His howling in the upper part of the store led James O'Conner, the proprietor, to investigate what permitted his escape from the

had been taken from the cash register. 75 one-cent stamps from the postoffice station, and small quantities of perfume, cigars and tobacco from the It is supposed that entrance was gained by a past key.

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COAL MINE STATISTICS.

State Inspector Pettit Sends Out Blank Form Requests.

State Coal Mine Inspector Pettit has sent out blanks to all coal mines, requesting the following information: Character of coal produced, disposition of the coal quantity made into coke, total output in 1909 and 1910, total selling value of output, average price per ton, number of days colliery was active during the year, number of men employed, number of horses and mules used, number and character of accidents since Jan. 1, 1909, the quantities of moisture, volatile matter, fixed carbon ash and sulphur in

the coal, and the nationality of the men mployed.

Mr. Pettit says the output of coal in the state will be greater for the current year than for any other year. He believes the number of accidents and fatalities will be smaller.

FIRE AT THOMPSON HOME.

The fire department responded to a call this morning at the residence of Mrs. H. Thompson at 966 east Second South, where a blaze had been started from a defective flue. With the aid of chemi-cals, the fire was extinguished. The loss of \$50 was fully covered by insurance.

A private safe may be rented in the fire and burglar-proof vaults of the Salt Lake Security & Trust Co., 32-34 Main street, \$2.00 per year.

PROGRAMS.

Special prices to all Church organizations on programs, tickets, dodgers etc. All orders promptly and careful

Sixty-five People Have Already Joined the Consolidated Music Co. Club and the Membership Roll Has Not Yet Been Open a Week!

The limit of 100 members will be reached within the next few days, and then it will be too late; so, if you desire to join at all, you should do so now. The remaining 35 memberships will be taken very rapidly, for it is "too good a thing" to let slip by

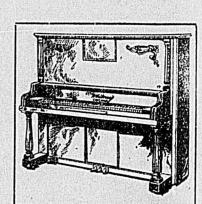
What Are You Going to Do About It?

Only a Few Names Are Needed Now!

To complete the membership of the club of 100 who will be entitled to the special price of



For a Player-Piano



A high-grade, guaranteed instrument, in genuine oak or mahogany case, with perfected mechanism and full 88-note scale, and made by the largest concern in America devoted to the manufacture of pianos and player-pianos. Especially prized by those who love-music, yet

-playing attachments inside

An Ideal Christmas Present

until the amount of \$387 is paid!



Many Special Privileges

They have 42 months in which to pay for their instruments or they may still further reduce the special price at which they secure them by making as many advance monthly payments as they

A Rebate of \$1 for Every Advance Payment

Club members may have their money refunded at the end of 30 days if the instrument purchased is not satisfactory, or they may exchange it for any other player-piano in our store. We will take your old plano as part payment, making a very liberal allowance for it. Club members receive, free, one player-piano bench, a scarf, ten rolls of music selected by themselves, and one tuning of the instrument.

Was there ever an opportunity like this presented to the music-loving people of this community? Will you ever have such an opportunity again? Be one of those who join now, to complete the club and have your player-plane delivered when and where you like Come in and hear this great player-plane, then you'll decide quickly.

Consolidated Music Co.

N. W. Clayton, President

anyone can play

109-11-13 Main Street

Royal W. Daynes, Manager